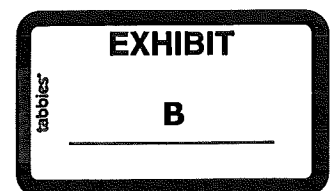



Composite Exhibit

MDOC Policy Nos.: 16-11, 16-12, 16-13, 16-15, 16-23

**MDOC Procedure Nos.: 16-11-01, 16-12-01, 16-13-01, 16-13-02,
16-15.-01, 16-23-01**



 MISSISSIPPI DEPARTMENT OF CORRECTIONS	POLICY NUMBER 16-11
	AGENCY WIDE
SECURITY EQUIPMENT	INITIAL DATE 12-15-1997
ACA STANDARDS: 2- CO-3A-01, 4-4199 thru 4-4202	EFFECTIVE DATE 08-01-2011
STATUTES:	RESTRICTED
	PAGE 1 of 2

POLICY:

It is the policy of the Mississippi Department of Corrections (MDOC) to govern the availability, control and use of security equipment.

DEFINITIONS:

None.

PRECEPTS:

Administration of Correctional Agencies (Central Office): There are written agency policies that cover, at a minimum, the following:

- security
- correctional officer assignments
- patrol and inspection
- use of restraints
- security equipment
- control center operation
- permanent log maintenance
- count procedures
- contraband control [2-CO-3A-01].

Adult Correctional Institutions: Written policy and procedure govern the availability, control, and use of chemical agents, electrical disablers, and related security devices and specify the level of authority required for their access and use. Chemical agents and electrical disablers are used only with the authorization of the warden/superintendent or designee [4-4199].

Adult Correctional Institutions: Written policy, procedure, and practice govern the inventory, issuance and accountability of routine and emergency distributions of security equipment [4-4200].

Adult Correctional Institutions: Firearms, chemical agents, and related security equipment are inventoried at least monthly to determine their condition and expiration dates [4-4201].

TITLE: SECURITY EQUIPMENT		POLICY NUMBER 16-11
EFFECTIVE DATE: 08-01-2011	RESTRICTED	PAGE 2 of 2

37 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that written
38 reports are submitted to the warden/superintendent or designee no later than the
39 conclusion of the tour of duty when any of the following occur:

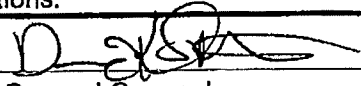

- 40
- 41 • discharge of a firearm or other weapon
- 42 • use of chemical agents to control inmates
- 43 • use of force to control inmates
- 44 • inmate(s) remain in restraints at the end of the shift [4-4202].


45
46 The Commissioner or designee(s) will ensure procedures:

- 47
- 48 • Make security equipment available to applicable staff
- 49 • Mandate authorization for the use of security equipment
- 50 • Specify designation of satellite armories
- 51 • Mandate compliance with MDOC Use of Force Policy/Procedures (16-13, 16-13-01)
- 52 • Create inventory and accountability controls for security equipment
- 53 • Specify duty responsibilities of facility Ordinance Officer and/or ERT Officer
- 54 • Establish protocols for Armory operations
- 55 • Establish protocols for satellite armories
- 56 • Establish protocols for security equipment purchases and acquisition
- 57 • Establish protocols for reporting the use of security of equipment/weaponry and/or "use of
58 force/restraint(s)" no later than at the conclusion of the tour of duty

59
60 **DOCUMENTS REQUIRED:**

61
62 As required by this policy and through the chain of command.

ENFORCEMENT AUTHORITY	
All standard operating procedures (SOPs) and/or other directive documents related to the implementation and enforcement of this policy will bear the signature of and be issued under the authority of the Commissioner of Corrections.	
Reviewed and Approved for Issuance	 General Counsel
	 Commissioner
	7/19/2011 Date
	07/21/11 Date

	MISSISSIPPI DEPARTMENT OF CORRECTIONS		POLICY NUMBER 16-13
			AGENCY WIDE
USE OF FORCE		INITIAL DATE 12-01-1987	
ACA STANDARDS: 4-4202, 4-4203, 4-4206, 4-ACRS-2B-01, 4-ACRS-2B-02, 4-ACRS-2B-03, 4-APPFS-3G-01, 4-APPFS-3G-02		EFFECTIVE DATE 03-01-2014	
STATUTES:	RESTRICTED	PAGE 1 of 5	

POLICY:

It is the policy of the Mississippi Department of Corrections (MDOC) to restrict the use of physical force to instances of justifiable self-defense, protection of others, protection of property, prevention of escapes, and to maintain or regain control, and then only as a last resort and in accordance with appropriate statutory authority.

DEFINITIONS:

Force – The exertion or application of physical compulsion or constraint.

Officer Presence – Identification of authority and a show of force.

Verbal Intervention – Commands of direction to gain control or compliance of the offender.

Soft Empty Hand Control – Pressure points, joint locks that have minimal probability of injury.

Hard Empty Hand Control – Strikes, kicks that have a high probability of injury.

Soft Intermediate Weapon Control – May include Oleoresin Capsicum aerosol spray or chemical control, impact weapon joint locks.

Hard Intermediate Weapon Control – Impact weapon strikes.

Weapons – Firearms, batons, and chemical agents which are approved and issued by the agency.

Deadly Force – Any force that carries a substantial risk that will likely result in the death of any person. Examples of deadly force include but are not limited to, the following:

- Discharging a firearm in the immediate vicinity of or directed toward another person
- Striking another person on the head with an hard impact weapon
- Applying force or weight to the throat or neck of another

Less-Than-Deadly Force – Any force which could not reasonably be expected to result in the death of the person against whom it is directed.

Excessive Force – An application of force which, either by the type of force employed, or the extent to which such force is employed, exceeds that force which reasonably appears to be necessary under all the circumstances surrounding the incident.

TITLE: USE OF FORCE		POLICY NUMBER 16-13
EFFECTIVE DATE: 03-01-2014	RESTRICTED	PAGE 2 of 5

Minimum Amount of Force – The least amount of force necessary to overcome the resistance offered.

Spontaneous Use of Force – A use of force employed as an immediate response to a specific act.

Planned Use of Force – Any use of force where staff can prepare for the use of force.

Enforcement Necessity – To gain compliance with order and/or regulations when enforcement is immediately necessary to preserve safety and security of institution.

PRECEPTS:

All MDOC personnel will be provided with a departmental policy that establishes guidelines and limitations on the use of force.

Additionally, officers will be trained in the appropriate and proficient use of force, control and management of firearms, chemical agents, and other non-lethal weapons.

Employees may use force in the lawful performance of their duties when an offender or situation dictates that a use of force is necessary.

Adult Correctional Institutions: **(MANDATORY)** Written policy, procedure, and practice restrict the use of physical force to instances of justifiable self-defense, protection of others, protection of property, prevention of escapes, and to maintain or regain control, and then only as a last resort and in accordance with appropriate statutory authority. In no event is physical force justifiable as punishment. A written report is prepared following all uses of force and is submitted to administrative staff for review [4-4206].

Adult Probation and Parole Field Services: Physical force is used only in instances of justifiable self-defense, protection of others, and in accordance with appropriate statutory authority. Only reasonable and necessary force is employed [4-APPFS-3G-01].

The Commissioner or designee will develop procedures to restrict the use of force to such instances as stated in accordance with appropriate statutory authority and good corrections practices.

Force may be authorized, but not limited to the following instances:

- To protect staff, the public and offenders
- To prevent escape
- To prevent the destruction of state property
- To gain compliance from an offender
- In instances of justifiable self-defense
- To prevent the commission of a felony or misdemeanor
- To enforce regulations and orders
- To prevent or quell a riot

TITLE: USE OF FORCE		POLICY NUMBER 16-13
EFFECTIVE DATE: 03-01-2014	RESTRICTED	PAGE 3 of 5

If time permits, a supervisor's permission must be obtained prior to the use of force.

Staff will use the least amount of force necessary to control the person or situation.

In all incidents, the safety of the public, staff and offenders will be considered in determining the necessary force to gain control of the individual or the situation. In no event will physical force be used as punishment.

Deadly force may be used when there is an immediate threat of death or serious bodily harm to the public, officer, staff, or offenders, and a lesser use of force level would not eliminate the threat or prevent the escape.

Acknowledgement

All employees of the agency are required to sign this policy and procedure. By signing, they acknowledge they have read and understand MDOC policy and procedure, Use of Force.

They acknowledge that they understand the training required for use of force, approval and issuance of weapons and chemical agents, necessary medical treatment, and proper notification when force is used.

Notification

Adult Correctional Institutions: Written policy, procedure, and practice provide that written reports are submitted to the warden/superintendent or designee no later than the conclusion of the tour of duty when any of the following occur:

- discharge of a firearm or other weapon
- use of chemical agents to control inmates
- use of force to control inmates
- inmate(s) remain in restraints at the end of the shift [4-4202].

Adult Community Residential Services: (MANDATORY) A written report is prepared following all uses of force and is submitted to the facility administrator. The report details all circumstances, lists those involved, including witnesses, and describes medical services provided [4-ACRS-2B-01].

Adult Probation and Parole Field Services: All incidents involving use of physical force are reported fully, promptly, and in writing to administrative staff for their information and review. All injuries are treated promptly and reported in writing. [4-APPFS-3G-02].

The Commissioner and the Deputy Commissioners or designees will develop procedures to ensure that subordinate units promptly report in writing to the chain of command of the extent to which force has been used, any injuries that may have occurred, and the treatment provided to any person injured.

Adult Community Residential Services: Use of force incidents are investigated; findings are aggregated and analyzed [4-ACRS-2B-03].

TITLE: USE OF FORCE		POLICY NUMBER 16-13
EFFECTIVE DATE: 03-01-2014	RESTRICTED	PAGE 4 of 5

Medical Treatment

Adult Correctional Institutions: **(MANDATORY) Written policy, procedure, and practice provide that all persons injured in an incident receive immediate medical examination and treatment [4-4203].**

Adult Community Residential Services: **Persons injured in an incident immediately receive a medical examination and treatment [4-ACRS-2B-02].**

The Commissioner or designee will develop procedures to ensure all persons involved in all use of force incident(s) will immediately receive a medical examination and treatment even when the person does not appear to be injured. The person will be evaluated by a qualified medical professional.

In case of serious injury or death from the use of force, appropriate medical personnel will be notified immediately.

Officers on the scene will ensure the injured person receives appropriate medical attention.

A written report from medical personnel treating any person injured in a use of force incident will be sent through the chain of command to the Commissioner or designee.

Approval of Weapons, Chemical Agents and Restraints

The Commissioner or designee will develop a list of approved weapons, ammunition, chemical agents, non-lethal weapons and restraints that may be used by agency personnel.

MDOC employees may only use those weapons approved and issued by the agency in the performance of their duties.

Duty to Intervene

In the event any employee observes an excessive use of force by another employee, it will be that person's responsibility to intervene in a reasonable manner and attempt to de-escalate or control the amount of force used.

The employee will report the incident to his supervisor and the appropriate Superintendent, Warden, or Community Corrections Director.

The Commissioner or designee will investigate all allegations of improper use of force. In cases where possible criminal acts are involved, the appropriate law enforcement agency will be notified.

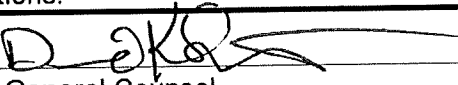
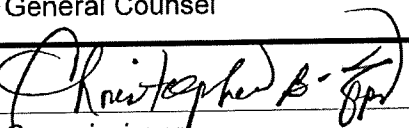
To safeguard against unwarranted allegations of excessive use of force, a video record (video camera with audio recording capabilities) will be made of any planned use of force incident. Where appropriate, a photographic record should be made after any type of use of force incident to protect the rights of all involved in the incident.


TITLE: USE OF FORCE		POLICY NUMBER 16-13
EFFECTIVE DATE: 03-01-2014	RESTRICTED	PAGE 5 of 5

182 **DOCUMENTS REQUIRED:**

183

184 As required by this procedure and through the chain of command.

ENFORCEMENT AUTHORITY	
All standard operating procedures (SOPs) and/or other directive documents related to the implementation and enforcement of this policy will bear the signature of and be issued under the authority of the Commissioner of Corrections.	
Reviewed and Approved for Issuance	 2/21/2014 General Counsel Date
	 02/28/14 Commissioner Date

	MISSISSIPPI DEPARTMENT OF CORRECTIONS		POLICY NUMBER 16-15
			AGENCY WIDE
USE OF RESTRAINTS		INITIAL DATE 06-13-1983	
ACA STANDARDS: 2-CO-3A-01, 4-4190, 4-4190-1, 4-4191		EFFECTIVE DATE 08-01-2011	
STATUTES:	RESTRICTED	PAGE 1 of 2	

POLICY:

It is the policy of the Mississippi Department of Corrections to ensure restraints are never applied as punishment and are only used as a precaution against escape during transfer, for medical reasons, to prevent self-injury, to prevent injury to others or to prevent property damage.

DEFINITIONS:

Restraints - A device used to physically limit the movement of the wearer.

PRECEPTS:

Administration of Correctional Agencies (Central Office): There are written agency policies that cover, at a minimum, the following:

- security
- correctional officer assignments
- patrol and inspection
- use of restraints
- security equipment
- control center operation
- permanent log maintenance
- count procedures
- contraband control [2-CO-3A-01]

Adult Correctional Institutions: Written policy, procedure, and practice provide that instruments of restraint, such as handcuffs, irons, and straight jackets, are never applied as punishment and are applied only with the approval of the warden/superintendent or designee [4-4190].

Adult Correctional Institutions: Written policy, procedure and practice, in general, prohibit the use of restraints on female offenders during active labor and the delivery of a child. Any deviation from the prohibition requires approval by, and guidance on, methodology from the medical authority and is based on documented serious security risks. The medical authority provides guidance on the use of restraints on pregnant offenders prior to active labor and delivery [4-4190-1].

TITLE: USE OF RESTRAINTS		POLICY NUMBER 16-15
EFFECTIVE DATE: 08-01-2011	RESTRICTED	PAGE 2 of 2

38 *Adult Correctional Institutions:* (MANDATORY) Written policy, procedure, and practice
 39 provide that when an offender is placed in a four/five-point restraint (arms, head, and
 40 legs secured), advance approval must be obtained from the warden/superintendent or
 41 designee. Subsequently, the health authority or designee must be notified to assess the
 42 inmate's medical and mental health condition, and to advise whether, on the basis of
 43 serious danger to self or others, the inmate should be placed in a medical/mental health
 44 unit for emergency involuntary treatment with sedation and/or other medical
 45 management, as appropriate. If the offender is not transferred to a medical/mental health
 46 unit and is restrained in a four/five point position, the following minimum procedures will
 47 be followed:

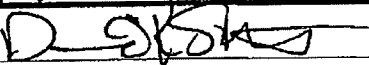
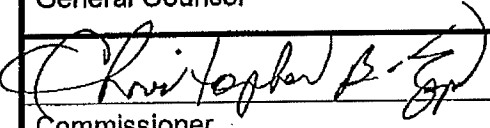
- 48 1. Direct visual observation by staff must be continuous prior to obtaining approval
- 49 from the health authority or designee;
- 50 2. Subsequent visual observation must be made at least every fifteen minutes; and,
- 51 3. Restraint procedures are in accordance with guidelines endorsed by the designated
- 52 health authority [4-4191].
- 53


54 The Deputy Commissioner of Institutions and the Deputy Commissioner of Community
 55 Corrections or designees will develop procedures for the use of restraints. Procedures will
 56 include the following:

- 57 • Type of restraints
- 58 • Reason for use of restraints
- 59 • Approval for use of restraints
- 60 • Notification of Institutional Medical Director
- 61 • Restraint logging and reporting procedures
- 62

63 **DOCUMENTS REQUIRED:**

64 As required by this policy and through the chain of command.

ENFORCEMENT AUTHORITY	
All standard operating procedures (SOPs) and/or other directive documents related to the implementation and enforcement of this policy will bear the signature of and be issued under the authority of the Deputy Commissioner of Institutions and the Deputy Commissioner of Community Corrections.	
Reviewed and Approved for Issuance	 7/19/2011 General Counsel Date
	 07/21/11 Commissioner Date

 MISSISSIPPI DEPARTMENT OF CORRECTIONS	POLICY NUMBER 16-23
	AGENCY WIDE
USE OF OLEORESIN CAPSICUM SPRAY OR CHEMICAL AGENTS	INITIAL DATE 03-01-2001
ACA STANDARDS: 4-4092	EFFECTIVE DATE 12-01-2009
STATUTES:	RESTRICTED
	Page 1 of 2

POLICY:

It is the policy of the Mississippi Department of Corrections (MDOC) to certify staff to carry and use agency approved chemical agents or Oleoresin Capsicum Spray.

DEFINITIONS:

Oleoresin Capsicum Spray (OC) - A spray or foam derived from Capsicum peppers and mixed with essential oils, waxes and materials (commonly known as pepper spray or OC spray).

Chemical Agents - All types of tear gases that are currently approved and used.

Contamination - Making impure by contact with an OC product or chemical agent.

Decontamination - The process that is initiated after a person has been contaminated by OC spray or a chemical agent.

Certification Course - A basic course of instruction that teaches the proper methods of contamination and decontamination of OC spray or chemical agents.

PRECEPTS:

American Correctional Institutions: (MANDATORY) All personnel authorized to use chemical agents receive thorough training in their use and in the treatment of individuals exposed to a chemical agent [4-4092].

The Deputy Commissioner of Institutions and the Deputy Commissioner of Community Corrections or designees will develop procedures to certify staff in the proper use of OC and chemical agents to include:

- Training and certification
- Employment of OC spray or chemical agents
- Prohibited use of OC spray and chemical agents
- Medical attention/treatment
- Notification of accidental discharge


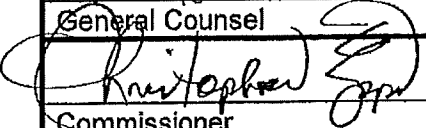
Procedures will be developed by the appropriate Deputy Commissioner or their designee for decontamination procedures and medical treatment as required or requested.


USE OF OLEORESIN CAPSICUM SPRAY OR CHEMICAL AGENTS		POLICY NUMBER 16-23
EFFECTIVE DATE: 12-01-2009	RESTRICTED	Page 2 of 2

39 **DOCUMENTS REQUIRED:**

40

41 As required by this policy and through the chain of command.

ENFORCEMENT AUTHORITY	
All standard operating procedures (SOPs) and/or other directive documents related to the implementation and enforcement of this policy will bear the signature of and be issued under the authority of the Deputy Commissioner of Institutions and the Deputy Commissioner of Community Corrections.	
Reviewed and Approved for Issuance	 General Counsel
	 Commissioner
	11-16-2009 Date
	12/17/09 Date

 MISSISSIPPI DEPARTMENT OF CORRECTIONS	POLICY NUMBER 16-23
	AGENCY WIDE
USE OF OLEORESIN CAPSICUM SPRAY OR CHEMICAL AGENTS	INITIAL DATE 03-01-2001
ACA STANDARDS: 4-4092	EFFECTIVE DATE 11-01-2012
STATUTES:	RESTRICTED
	PAGE 1 of 2

POLICY:

It is the policy of the Mississippi Department of Corrections (MDOC) to certify staff to carry and use agency approved chemical agents or Oleoresin Capsicum Spray.

DEFINITIONS:

Oleoresin Capsicum Spray (OC) - A spray or foam derived from Capsicum peppers and mixed with essential oils, waxes and materials (commonly known as pepper spray or OC spray).

Chemical Agents - All types of tear gases that are currently approved and used.

Contamination - Making impure by contact with an OC product or chemical agent.

Decontamination - The process that is initiated after a person has been contaminated by OC spray or a chemical agent.

Certification Course - A basic course of instruction that teaches the proper methods of contamination and decontamination of OC spray or chemical agents.

Contraindications - To state something to be inadvisable while taking particular medication because of a likely adverse reaction, or a factor that serves as a reason to withhold a certain medical treatment.

Material Safety Data Sheets (MSDS) - An important component of product stewardship and workplace safety. It is intended to provide workers and emergency personnel with procedures for handling or working with that substance in a safe manner, and includes information such as physical data (melting point, boiling point, flash point, etc.), toxicity, health effects, first aid, reactivity, storage, disposal, protective equipment, and spill-handling procedures. MSDS formats can vary from source to source within a country depending on national requirements.

PRECEPTS:

Adult Correctional Institutions: **(MANDATORY) All personnel authorized to use chemical agents receive thorough training in their use and in the treatment of individuals exposed to a chemical agent [4-4092].**

The Deputy Commissioner of Institutions and the Deputy Commissioner of Community Corrections or designees will develop procedures to certify staff in the proper use of OC and chemical agents to include:


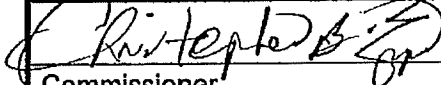
TITLE: USE OF OLEORESIN CAPSICUM SPRAY OR CHEMICAL AGENTS		POLICY NUMBER 16-23
EFFECTIVE DATE: 11-01-2012	RESTRICTED	PAGE 2 of 2


- 41 • Training and certification
42 • Employment of OC spray or chemical agents
43 • Prohibited use of OC spray and chemical agents
44 • Medical attention/treatment
45 • Notification of accidental discharge

46
47 Procedures will be developed by the appropriate Deputy Commissioner or their designee for
48 decontamination procedures and medical treatment as required or requested.
49

50 **DOCUMENTS REQUIRED:**

51
52 As required by this policy and through the chain of command.

ENFORCEMENT AUTHORITY	
All standard operating procedures (SOPs) and/or other directive documents related to the implementation and enforcement of this policy will bear the signature of and be issued under the authority of the Deputy Commissioner of Institutions and the Deputy Commissioner of Community Corrections.	
Reviewed and Approved for Issuance	 General Counsel
	 Commissioner
	10/23/2012 Date
	10/24/12 Date

	MISSISSIPPI DEPARTMENT OF CORRECTIONS		SOP NUMBER 16-11-01
			AGENCY WIDE
SECURITY EQUIPMENT		INITIAL DATE 12-01-2001	
ACA STANDARDS: 4-CO-3A-01, 4-4173, 4-4199 thru 4-4202		EFFECTIVE DATE 08-01-2011	
STATUTES:	RESTRICTED	PAGE 1 of 5	

APPLICABILITY:

This procedure applies to all employees of the Mississippi Department of Corrections (MDOC) who use security equipment.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections to govern the accountability, availability, control and use of security equipment.

DEFINITIONS:

MDOC Security Equipment – Any control-related equipment approved by the Commissioner for use by MDOC staff to ensure the safety of the public, staff and offenders.

Emergency Response Team (ERT) – A team of specially trained MDOC employees capable of handling situations that threaten security or the safety of staff, offenders, or the public.

Armory/ERT Supply Room – A vault-type room or building used to store firearms and other security equipment that must be isolated from the offender population and protected from pilferage.

Corrections Investigation Division Supply Room – A vault-type room or building used to store firearms, security equipment and confiscated evidence.

Satellite Armories – Those facility posts apart from the main armory that are authorized by the Facility's Controlling Authority to store and use security equipment.

Ordinance Officer – An employee assigned the responsibility for operating and controlling the armories.

ERT Supply Officer – An employee assigned the responsibility for operating and controlling Armory/ ERT Supply Rooms.

PROCEDURES:

Administration of Correctional Agencies (Central Office): There are written agency policies that cover, at a minimum, the following:

- security
- correctional officer assignments
- patrol and inspection
- use of restraints

TITLE: SECURITY EQUIPMENT		SOP NUMBER 16-11-01
EFFECTIVE DATE: 08-01-2011	RESTRICTED	PAGE 2 of 5

- security equipment
- control center operation
- permanent log maintenance
- count procedures
- contraband control [2-CO-3A-01].

Adult Correctional Institutions: Written policy and procedure govern the availability, control, and use of chemical agents, electrical disablers, and related security devices and specify the level of authority required for their access and use. Chemical agents and electrical disablers are used only with the authorization of the warden/superintendent or designee [4-4199].

Adult Correctional Institutions: Firearms, chemical agents, and related security items are stored in a secure but readily accessible depository outside of inmate housing and activity areas [4-4173].

The Facility's Controlling Authority or designee will ensure:

- That firearms, chemical agents and related security devices are readily available to staff
- That the use of these devices will be authorized by the Facility's Controlling Authority or designee and will be monitored
- That "satellite armories" are designated
- That security equipment will be used in accordance with MDOC policy and procedure, Use of Force (16-13, 16-13-01)

The Ordinance Officer/ERT Supply Officer:

- Issue firearms, chemical agents and other related security equipment only to trained and qualified personnel
- Inspect all equipment for suitability and serviceability
- Inventory all security equipment at least monthly to determine their condition and/or expiration dates
- Forward a copy of all inventories to the Facility's Controlling Authority or designee at facilities where offenders are located.

Adult Correctional Institutions: Written policy, procedure, and practice govern the inventory, issuance and accountability of routine and emergency distributions of security equipment [4-4200].

TITLE: SECURITY EQUIPMENT		SOP NUMBER 16-11-01
EFFECTIVE DATE: 08-01-2011	RESTRICTED	PAGE 3 of 5

The written record includes the following:

- Date
- Time
- Equipment issued
- Officer's name
- Date of return
- Time of return
- Issuer's name

All emergency distributions of security equipment will be reported in writing and forwarded to the Facility's Controlling Authority or designees at facilities where offenders are located.

All emergency distributions of security equipment at Central Office will be reported in writing by the CID Director and forwarded to the Commissioner.

Armory

Adult Correctional Institutions: Firearms, chemical agents, and related security equipment are inventoried at least monthly to determine their condition and expiration dates [4-4201].

The Facility's Ordinance Officer will be the site controlling authority of the facility's armory and will be accountable for:

- Building security
- Ingress and egress (Facility's Controlling Authority personnel list)
- Inventory control
- Facility wide monthly inventory report to Superintendent or designee
- Inventory maintenance, repairs and modifications (factory specifications)
- Origination of security equipment requisitions
- Issuance procedures applicable to officers' security equipment
- Emergency issuance procedures (an institution's internal administrative protocol)
- Issuance of security equipment to Superintendent's "satellite armories"
- Monthly inventory of "satellite armories" forwarded to Superintendent or designee

Corrections Investigation Division (Central Office)

The Director of Corrections Investigation Division or designee will be the on-site controlling authority of the Corrections Investigation Division's supply room and will be accountable for:

- Security of the Corrections Investigation Division Supply Room
- Ingress and egress in and out of Corrections Investigation Division Supply Room
- Inventory control
- Monthly inventory report to Commissioner or designee
- Inventory maintenance, repairs and modifications (factory specifications)

TITLE: SECURITY EQUIPMENT		SOP NUMBER 16-11-01
EFFECTIVE DATE: 08-01-2011	RESTRICTED	PAGE 4 of 5

- Origination of security equipment requisitions
- Issuance procedures applicable to officers' security equipment
- Emergency issuance procedures as they relate to the use and control of weapons and ammunition

Accountability for Satellite Armories

Inventory and security control of security equipment assigned to each satellite armory will be the concurrent responsibility of that Area's Warden and Deputy Warden.

Each respective Warden and Deputy Warden will develop written internal management procedures and controls specific to the unique circumstances that are applicable to that post.

A copy of these internal procedures will be forwarded to the facility's Ordinance Officer and copied to the Facility's Controlling Authority or designee.

The Ordinance Officer will create a facility file consisting of all satellite armory procedures.

Acquisition Guidelines

In order to prevent unnecessary duplication specific to purchases, the Ordinance Officer will originate all requisitions for firearms and security response/control equipment and supplies.

Department Heads seeking to purchase equipment will submit to the Ordinance Officer written documentation justifying their request.

The Ordinance Officer will research all requests and will ascertain the necessity and the advisability of the purchase based upon their knowledge and training.

When purchases are deemed necessary and approved, the Ordinance Officer will requisition the equipment.

Requisitions will be submitted to the Facility's Controlling Authority for signature.

Upon receipt, security equipment will be placed on the Armory's inventory and issued in accordance with this procedure and purchasing guidelines.

Firearms Discharge

Adult Correctional Institutions: Written policy, procedure, and practice provide that written reports are submitted to the warden/superintendent or designee no later than the conclusion of the tour of duty when any of the following occur:

- discharge of a firearm or other weapon
- use of chemical agents to control inmates
- use of force to control inmates
- inmate(s) remain in restraints at the end of the shift [4-4202].

TITLE: SECURITY EQUIPMENT		SOP NUMBER 16-11-01
EFFECTIVE DATE: 08-01-2011	RESTRICTED	PAGE 5 of 5

181 In accordance with MDOC Policy and applicable procedures, when a firearm is discharged, a
 182 written report will be submitted through the chain of command no later than at the conclusion of
 183 the tour of duty. This will include:
 184

- 185 • Shots fired in the line of duty
- 186 • Accidental discharges
- 187 • Unauthorized discharge of a firearm
- 188 • Any other incident of a weapon being fired

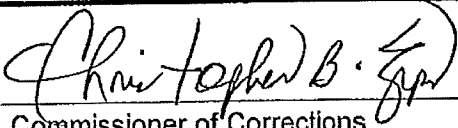
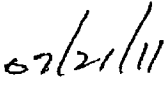
189
 190 Other pertinent documents (i.e., Rule Violation Report, Use of Force Report, Detention Notice,
 191 and MDOC Extraordinary Occurrence Report) will accompany the report.
 192


193 Weaponry Usage (Other)
 194

195 Anytime chemical agents or any other forms of weaponry/restraints are used to control an
 196 offender(s), all applicable reports specified within this procedure will be submitted to the
 197 Facility's Controlling Authority or designee no later than at the conclusion of the tour of duty.
 198

199 DOCUMENTS REQUIRED:
 200

201 As required by this procedure and through the chain of command.

ENFORCEMENT AUTHORITY		
Reviewed and Approved for Issuance		
	Commissioner of Corrections	Date

	MISSISSIPPI DEPARTMENT OF CORRECTIONS	SOP NUMBER 16-12-01
		AGENCY WIDE INSTITUTIONS
	USE OF FIREARMS	INITIAL DATE 08-15-1998
	ACA STANDARDS: 4-4091, 4-4201, 4-4202, 4-4204, 4-4205	EFFECTIVE DATE 08-01-2013
STATUTES: 47-5-54, 47-7-9	RESTRICTED	PAGE 1 of 8

APPLICABILITY:

This procedure applies to all Mississippi Department of Corrections (MDOC) Institutional employees, Regional and Private Prison employees.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections to appoint qualified staff to carry and use authorized firearms as may be required in the performance of their official duties, and to provide guidelines for the care and use of firearms.

DEFINITIONS:

Interview – The process of questions asked by law enforcement to a person arrested or suspected to seek answers to a crime, or policy violation that could result in disciplinary action.

Authorized Firearms – Any weapon owned, issued or approved by the MDOC.

Authorized Ammunition – Any ammunition issued or approved for use by the MDOC Commissioner.

Firearm Qualified Staff – An MDOC or contract employee who has successfully completed an approved or MDOC prescribed training and meets the qualification requirements for a particular authorized firearm.

Firearms Trainer – An MDOC or other qualified trainer who has successfully completed a specialized firearms training for trainers course for certification.

Rangemaster – A certified firearms trainer who manages a weapons range complex in addition to coordinating weapon related training events.

Holster – All holsters must be approved by MDOC and at a minimum consist of a level two retention device.

PROCEDURES:

Adult Correctional Institutions: (MANDATORY) Written policy and procedure govern the use of firearms, including the following:

- Weapons are subject to stringent safety regulations and inspections.

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- Except in emergency situations, employees carrying firearms are assigned only to watchtowers, gunwalks, mobile patrols, or other positions that are inaccessible to inmates.
- Employees supervising inmates outside the institution's perimeter follow specific procedures for ensuring the security of weapons.
- Employees are instructed to use deadly force only after other actions have been tried and found ineffective, unless the employee believes that a person's life is immediately threatened [4-4204].

Firearms Selection

The Commissioner will approve the selection of authorized firearms and ammunition.

Authorization will be based in part on information provided by a Firearm Advisory Committee. The committee will consist minimally of the following persons:

- Deputy Commissioner of Institutions or designee
- Firearms Instructor – Institutions
- Firearms Instructor – Community Corrections
- Purchasing Employee
- MDOC Compliance Officer
- Regional and/or Private Facility Warden as appointed by the Commissioner

The committee will meet semi-annually or as needed to:

- Review weapons and ammunition purchase requests.
- Review research and current trends as well as technical advancements in weapons and ammunition.
- Survey the types of weapons and calibers used by other state agencies and keep MDOC compatible with other state agencies.

No weapons or ammunition will be purchased or acquired by any MDOC or contract facility without the approval of the Firearm Advisory Committee, the Deputy Commissioner of Institutions and the Commissioner.

Any exception, addition or deletion to the agency approved weapons and ammunition list requires completion of the request form and approval form from the chain of command.

Modification of MDOC Issued or Approved Firearms

MDOC issued or approved firearms will not be modified or altered in any material way without the prior approval of the Deputy Commissioner of Institutions or Commissioner.

A modification takes place when any addition or deletion of any part of the firearm is made to or upon the firearm that changes it from the manufacturer's stock specifications or from specifications present at the time of issue.

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89 Firearms Qualification/Re-Qualification

90
91 *Adult Correctional Institutions:* (MANDATORY) Written policy, procedure, and practice
92 provide that all personnel authorized to use firearms receive appropriate training before
93 being assigned to a post involving the possible use of such weapons. Firearms training
94 covers the use, safety, and care of firearms and the constraints on their use. All
95 personnel authorized to use firearms must demonstrate competency in their use at least
96 annually [4-4091].

97
98 The Facility's Controlling Authority or designee will ensure an adequate number of staff in each
99 area and on each shift, is qualified with lethal and less than lethal weapons.

100
101 All Correctional Commanders and Correctional Supervisors who exert control or custody over
102 offenders will acquire and maintain weapons qualification.

103
104 Successful completion of the firearms course is a condition of employment for being hired or
105 promoted to the position of Correctional Commander or Correctional Supervisor.

106
107 Only those persons meeting the minimum standards for marksmanship and safety will be
108 certified as qualified for those positions and/or issued weapons.

109
110 At a minimum, anyone qualified to carry firearms must be certified annually on that particular
111 weapon. Staff who do not re-qualify within the calendar year are immediately prohibited from
112 carrying a firearm.

113
114 Staff who cannot participate in firearm re-qualification because of a temporary physical condition
115 will not carry a firearm until the disability is removed and re-qualification is completed.

116
117 A staff member unable to re-qualify during one of the allotted times for re-qualification must
118 attend a Firearms Training Course approved by the Deputy Commissioner of Institutions before
119 attempting re-qualification again.

120
121 The Deputy Commissioner of Institutions has discretion in specifying the type of training
122 conducted based on the staff member's past training and firearm performance during range
123 exercises.

124
125 *Adult Correctional Institutions:* Firearms, chemical agents, and related security equipment
126 are inventoried at least monthly to determine their condition and expiration dates [4-
127 4201].

128
129 Weapons will be inspected monthly by supervisors for general maintenance, cleanliness, and
130 safety.

131
132 Each weapon will be inspected for safety and function by the Institutional or Certified Armorer at
133 least once a year or as needed.

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Privately Owned Weapons

No privately owned weapon will be utilized in the course of official MDOC duties.

Training Standards

Handgun

Anyone authorized to carry a handgun must first complete an approved training course and meet minimum standards or provide proof of qualification on a NRA approved range within the last twelve (12) months. The course of instruction will consist of:

- Use of Force
- Firearms Safety on the Job
- Firearms Safety Off Duty
- Basic Marksmanship Skills
- Handgun Retention
- General Maintenance
- Security of the Weapon

Mini-14 Rifle

All uniformed staff must pass the minimum qualification for rifle as a condition for employment. The course of instruction will consist of:

- Use of Force
- Firearms Safety
- Basic Marksmanship
- Security of the Weapon

12 Gauge Shotgun

Persons assigned to a post requiring the use of a 12 gauge shotgun must first pass the minimum standards for that weapon. The course of instruction will consist of:

- Use of Force
- Firearms Safety
- Basic Marksmanship
- Security of the Weapon

Less Than Lethal Weapons

Persons authorized to use Less than Lethal Weapons must demonstrate proficiency with the weapon and munitions. The course of instruction will consist of:

- Use of Force
- Firearms Safety

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EFFECTIVE DATE: 08-01-2013	RESTRICTED	PAGE 5 of 8

- Basic Marksmanship
- Security of the Weapon

All firearms instruction will emphasize that deadly force is used only as a last resort after other actions have failed or when a person's life is immediately threatened.

Following successful completion of a firearms course, each employee will be issued a weapons qualification card by the appropriate training authority.

Staff will carry the qualification card at all times while on duty, and may not have a firearm in their possession without the qualification card.

Utilization of Weapons

Firearms, under this procedure, are authorized to be carried in the performance of the official duties of authorized staff.

Except in an emergency situation, institutional staff carrying firearms are assigned only to watchtowers, gun walks, mobile patrols, or other positions that are inaccessible to offenders.

In all instances, only the amount of force necessary to maintain or gain control of a situation will be used. When practical, alternate methods of control will always be used in lieu of the use of firearms. Deadly force is justified to prevent an escape, when there is an immediate threat of death or serious bodily harm to the public, officer, staff, or offenders, and a lesser use of force level would not eliminate the threat or prevent escape.

Employees are instructed to use deadly force only after other actions have been tried and found ineffective, unless the employee believes that a person's life is immediately threatened.

Institutional armed personnel will maintain a constant state of awareness and take every precaution to prevent being disarmed by an offender.

When interviews are conducted in a secure location, MDOC Issued Weapons will not be worn nor located in the room where the interview is being conducted. Weapons will be secured in a designated location.

Carrying of Firearms

When carrying handguns, recognized conventional holsters will be used that afford protection to the weapon's hammer and trigger guard and have a retention strap or tension grasp that prevents accidental dislodging.

Firearms will not be left unattended in vehicles or offices while on Department of Corrections business or on institutional grounds.

If an MDOC issued weapon must be stored in a vehicle, the weapon will be stored in the trunk, if available; however, if the trunk is not available the weapon will be stored out of plain view

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Firearms will not be carried inside offender housing or activity areas unless authorized by the Commissioner, Deputy Commissioner of Institutions, or Superintendent.

Control of Firearms at Institutional Armed Posts

Firearms and ammunition will be stored only in posts that are manned at all times. When an armed post is not manned, the firearms and ammunition will be removed by the last officer on duty and taken to the Institutional Armory or post which is manned.

A daily weapon control log will be maintained on all armed posts. Every officer assuming duty at that post will inventory and inspect the firearms and ammunition.

Personnel on an armed post will take every precaution to prevent offender takeover of the post or offender access to the firearms and ammunition.

Firearms in armed posts will have their magazines fully loaded, but their chambers empty.

Control of Firearms Outside the Institutional Perimeter

If it is necessary to place offenders on an outside work assignment where an armed escort is required, the offenders will be located no closer than 25 feet to the armed officer. Distance from the officer will not exceed 50 yards.

Transportation of Firearms and Ammunition on Institutional Grounds

When firearms are transported on institutional grounds and are not in actual use, they will be unloaded as a precaution against discharge and in the case of seizure by offenders.

When firearms and ammunition must be transported inside an offender housing or activity area, each will be transported separately.

Loading and Reloading of Firearms

Adult Correctional Institutions: (MANDATORY) Written policy, procedure, and practice provide for the safe unloading and reloading of firearms [4-4205].

All weapons will be unloaded in a designated area prior to being secured.

Weapons can not be stored while loaded.

Revolvers will be unloaded by opening the cylinder and pointing the muzzle in the air. Shells should be emptied in the opposite hand. Weapons should be stored with the cylinder open unless it is locked in the armory.

Semi-automatic weapons will be pointed toward soft ground at a 45 degree angle, the magazine released and removed, and the slide locked open. Weapons should be stored with the magazine out and the slide locked back.

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Rifles, shotguns and other long barreled weapons will be unloaded while pointed toward soft ground at a 45 degree angle or into an unloading chamber. The magazine will be reloaded and removed and the operating rod handle or bolt handle operated several times and then locked open.

Pump shotguns will be cycled until empty and left with the action open.

Weapons will be loaded upon removal from storage. Loading will be done in a designated safe area.

Handguns will be loaded to capacity. Double action semi-automatics will have one round chambered.

Revolvers will be loaded to capacity.

Shotguns, rifles, and semi-automatic rifles will not have a round loaded in the chamber and are to be carried with the barrel empty.

Discharge of a Weapon

Adult Correctional Institutions: Written policy, procedure, and practice provide that written reports are submitted to the warden/superintendent or designee no later than the conclusion of the tour of duty when any of the following occur:

- Discharge of a firearm
- Use of chemical agents to control inmates
- Use of force to control inmates
- Inmate(s) remain in restraints at the end of the shift [4-4202].

Whenever a staff member discharges his firearm, either accidentally or officially (except when on an approved range undergoing firing exercise/training), that person will expeditiously notify the immediate supervisor of the incident via the fastest means possible and follow such notification with a detailed written report.

The supervisor will immediately notify his supervisor who will, following the chain of command, ensure that the Deputy Commissioner of Institutions is notified.

A copy of this notification will also be forwarded to the MDOC Director of Corrections Investigation Division. The Deputy Commissioner of Institutions will, if practical, inform the Commissioner with respect to the seriousness of the incident.

Injury or Death Resulting from Discharge of a Weapon

In the event of injury or death resulting from such discharge, the staff member will immediately notify his immediate supervisor, who in turn will notify the local law enforcement agency having area jurisdiction.

The supervisor, following the chain of command, will notify the Deputy Commissioner of Institutions.

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323 The Deputy Commissioner of Institutions will immediately notify the Commissioner of
 324 Corrections, who will in turn cause other pertinent staff members to be notified as deemed
 325 necessary.

326
 327 The Commissioner will initiate an impartial investigation of the incident via personal
 328 administrative investigatory staff.

329

330 **DOCUMENTS REQUIRED:**

331

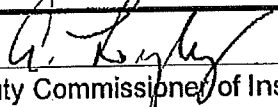
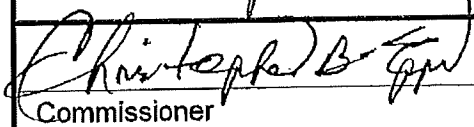
332 Agency Approved Weapons, Ammunition and Chemical Agents List


333 Daily Weapon Control Log

334 Exception Form

335 Addition/Deletion Request Form

336 As required by this procedure and through the chain of command.

ENFORCEMENT AUTHORITY		
Reviewed and Approved for Issuance		7/17/13
	Deputy Commissioner of Institutions	Date
		07/19/13
	Commissioner	Date

	MISSISSIPPI DEPARTMENT OF CORRECTIONS	SOP NUMBER 16-13-01
		AGENCY WIDE
USE OF FORCE		INITIAL DATE 12-01-1987
ACA STANDARDS: 4-4202, 4-4203, 4-4206, 4-ACRS-2B-01, 4-ACRS-2B-02, 4-ACRS-2B-03, 4-APPFS-3G-01, 4-APPFS-3G-02		EFFECTIVE DATE 08-01-2013
STATUTES:	RESTRICTED	PAGE 1 of 11

APPLICABILITY:

This procedure applies to all employees of the Mississippi Department of Corrections, and to independent contractors providing a service to the Department, who work inside a correctional institution and interact with offenders.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections (MDOC) to restrict the use of physical force to instances of justifiable self-defense, protection of others, protection of property, prevention of escapes, and to maintain or regain control, and then only as a last resort and in accordance with appropriate statutory authority.

DEFINITIONS:

Force – The exertion or application of physical compulsion or constraint.

Officer Presence – Identification of authority and a show of force.

Verbal Intervention – Commands of direction to gain control or compliance of the offender.

Soft Empty Hand Control – Pressure points, joint locks that have minimal probability of injury.

Hard Empty Hand Control – Strikes, kicks that have a high probability of injury.

Soft Intermediate Weapon Control – May include Oleoresin Capsicum aerosol spray or chemical control, impact weapon joint locks.

Hard Intermediate Weapon Control – Impact weapon strikes.

Weapons – Firearms, batons, and chemical agents which are approved and issued by the agency.

Deadly Force – Any force that carries a substantial risk that will likely result in the death of any person. Examples of deadly force include but are not limited to, the following:

- Discharging a firearm in the immediate vicinity of or directed toward another person
- Striking another person on the head with an hard impact weapon
- Applying force or weight to the throat or neck of another

Less-Than-Deadly Force – Any force which could not reasonably be expected to result in the death of the person against whom it is directed.

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Excessive Force – An application of force which, either by the type of force employed, or the extent to which such force is employed, exceeds that force which reasonably appears to be necessary under all the circumstances surrounding the incident.

Minimum Amount of Force – The least amount of force necessary to overcome the resistance offered.

Spontaneous Use of Force – A use of force employed as an immediate response to a specific act.

Planned Use of Force – Any use of force where staff can prepare for the use of force.

Enforcement Necessity – To gain compliance with order and/or regulations when enforcement is immediately necessary to preserve safety and security of institution.

PROCEDURES:

GENERAL

Use of Force Training

All persons who may be expected to use force in the course of their duties will be properly trained in the use of force (Reference 04-03-01, Use of Force Training). Training will be mandatory and offered in the:

- Training Academy
- Quarterly In-Service
- Annual Refresher.

The Mississippi Department of Corrections Training Department will be responsible for the Use of Force Training Curriculum.

Adult Correctional Institutions: (MANDATORY) Written policy, procedure, and practice restrict the use of physical force to instances of justifiable self-defense, protection of others, protection of property, prevention of escapes, and to maintain or regain control, and then only as a last resort and in accordance with appropriate statutory authority. In no event is physical force justifiable as punishment. A written report is prepared following all uses of force and is submitted to administrative staff for review [4-4206].

Adult Probation and Parole Field Services: Physical force is used only in instances of justifiable self-defense, protection of others, and in accordance with appropriate statutory authority. Only reasonable and necessary force is employed [4-APPFS-3G-01].

Force may be authorized, but not limited to, the following instances:

- To protect staff, the public and offenders
- To prevent escape
- To prevent the destruction of state property

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- In instances of justifiable self-defense
- To prevent the commission of a felony or misdemeanor
- To prevent or quell a riot
- Enforcement necessity

However, each employee is responsible for using only the minimum amount of force necessary to control the situation. It must be recognized that situations requiring the use of force can develop quickly and thus change the level of response that is appropriate. Circumstances presented by the offender involved in the use of force situation must be considered. Other factors should also be taken into account before deciding how much and what kind of force, if any, is to be used in any specific situation. Some of these factors include, but are not limited to:

1. **Surroundings** – An awareness of your surroundings when using force which may endanger others, such as chemical agents or firearms, to minimize the threat to other people.
2. **Bystanders** – Any person in the immediate vicinity that would or could be adversely affected by the amount and type of force used.
3. **Safety & effectiveness** – As employees of the department, we have a duty to protect offenders, staff and third persons, but there is no requirement to needlessly sacrifice one's own personal safety in doing so.
 - a. Whenever possible, an employee will summon assistance before becoming involved in a use of force. If an employee cannot effectively intervene in a situation, the employee is expected to continue to be observant of as many circumstances of the situation as possible to be reported later.
 - b. An employee must balance his or her ability to be effective versus the risk to personal safety. However, employees are always expected to respond in the event of an attack on another person who needs assistance.
4. **Communications, warnings and the opportunity to avoid planned force** – Whenever it is possible and safe to do so, staff will:
 - a. Attempt to communicate and verbally intervene in an effort to avoid using force;
 - b. Warn the offender that planned force may be utilized to resolve the situation, and
 - c. Allow the offender a final opportunity to comply with the order prior to the commencement of planned force.
5. **The risk of harm presented by the offender** – The employee must evaluate the circumstances and surroundings, and determine the level of threat to self, others and the security of the institution. The employee should weigh the following factors when determining the appropriate response:
 - a. The threat posed must indicate imminent harm if force is not used.
 - b. The offender must have the opportunity and ability to carry out the threat.
 - c. The staff member must perceive himself or another to be in jeopardy.
 - d. The employee must evaluate what level of force is necessary to effectively control the situation and the availability of alternatives. A greater potential of harm justifies a greater level of force.

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e. The use of force is necessary to control an offender who refuses to obey institutional rules, regulations or orders.

6. **Staff Availability** – Whenever it is necessary to use force, it is ideal to have enough staff to safely control the situation. The staff person who is confronted with a situation must consider the availability and nearness of other staff, and whether the situation can wait for other staff before responding. The ability to utilize planned force should always be considered when assessing the need to use force. Planned force is a preferred tactic unless the necessary delay in responding will jeopardize the security of the institution or the safety of any person.

Force will only be utilized when and to the degree necessary to subdue an individual offender or restore order to a disruptive group of offenders. Force should only be employed as a last resort and in no event is physical force justifiable as punishment.

Rule Violation Reports will be issued to offenders who are involved in a spontaneous or planned use of force.

Levels of Force

Force should be employed only to the degree necessary to control the offender to a level that will be effective, with a minimum of harm to both staff and the offender. Staff may escalate to the appropriate level of force depending on the situation. Excessive force will not be tolerated and is not authorized.

Level One – Show of Force/Verbal Intervention

All Department personnel should use the appropriate dialogue for talking an individual into compliance with a lawful request to avoid a physical confrontation. In situations where all lesser avenues of persuasion have been applied and failed, then a show of force by the necessary staff may be exercised. This shows the offender that sufficient numbers of staff and resources are available to control the disruptive offender and staff is committed to using force.

Level Two – Empty-Handed Control Techniques

If a show of force/verbal intervention fails, empty-handed control techniques, to include escort techniques and pain compliance techniques may be used. Only staff trained in the use of empty-handed control techniques are authorized to use such force. If this level of force is unavailable to the officer, the officer may proceed to the next higher level of force.

Application of restraint holds will be employed with necessary force to control the offender. After the offender has been restrained, the application of appropriate restraint gear will be made. (Reference 16-15-01, Use of Restraints) The offender, after being restrained, may be removed from the area where restraint was used to a location that allows for better control.

Level Three – Use of Chemical Agents

Chemical agents may be used on an individual offender to prevent serious injury to the offender or others, to prevent substantial property damage, to prevent loss of life or to prevent escape.

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Only staff trained/certified in the use of and treatment of individuals exposed to chemical agents are authorized to use such chemical agents. Appropriate decontamination and medical treatment by certified personnel will be provided to all individuals exposed to chemical agents.

When possible, the highest ranking official on duty at the facility will authorize the use of chemical agents.

In cases where an immediate decision must be exercised, the properly trained staff may use chemical agents to control the offender (Reference 16-23-01, Use of Oleoresin Capsicum or Chemical Agents).

Level Four – Hard Intermediate Weapon Control

Any MDOC approved impact weapon may be used to control or contain any situation deemed appropriate and necessary to maintain control, prevent harm to persons, prevent substantial damage to state property, or prevent escape. An approved impact weapon may be used to separate brawling offenders or to quell violence.

More potentially harmful weapons may be used only after all lesser degrees of force have been tried and/or given due deliberate consideration.

The highest ranking official on duty at the facility will authorize the use of impact weapons.

In all situations involving the use of a specific weapon, only properly trained staff is authorized to use such a weapon.

Level Five – Use of Deadly Force

Officers are authorized to use only such force necessary, including deadly force, whenever circumstances exist where the use of force is the only reasonable alternative as in the following instances:

- Protect the officer or others from what is reasonably believed to be an immediate threat of death or serious bodily harm.
- Prevent the escape from an institution, of a fleeing inmate whom the officer has probable cause to believe will pose a significant threat to human life should escape occur (Reference 16-13-02, Use of Force to Prevent Escape - Institutions).
- When attempting to recapture a suspect who has escaped, the officer has probable cause to believe that if the apprehension were delayed, there would be an immediate threat of death or serious bodily harm to the public.

Deadly force may not be used against a suspect simply because of the crime the suspect committed; rather, deadly force is justified to prevent escape when there is an immediate threat of death or serious bodily harm to the public, officer, staff, or offenders, and a lesser use of force level would not eliminate the threat to prevent the escape.

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Suspicion and/or flight alone is an insufficient basis for shooting a suspect; therefore, when there is a doubt, the value of human life outweighs the importance of immediate apprehension.

Planned Use of Force

To gain the offender's voluntary cooperation, verbal intervention will be used in an attempt to bring the offender into compliance.

If the offender does not comply and the circumstances permit, staff involved in the incident will notify the Shift Supervisor/Commander of the incident.

A show of force/verbal intervention will be used prior to any planned use of force. A show of force is the demonstration to the offender that sufficient numbers of staff and resources are available to subdue the disruptive offender.

A show of force will not be made without sufficient staff or equipment to control the situation and a commitment to use that force.

Upon notification of the incident, the Shift Supervisor/Commander will notify the Facility's Controlling Authority that the offender is disruptive and not complying with staff's lawful orders.

The Shift Supervisor/Commander will advise the Facility's Controlling Authority that it is probable that force will be needed to bring the offender into compliance.

The Shift Supervisor/Commander will intervene and verbally notify the offender that force will be used to bring him to an acceptable level of compliance.

If the offender does not comply after the show of force/verbal intervention, the minimum amount of force will be used to control the offender.

A planned use of force will be authorized by the highest ranking correctional staff on duty.

Use of Force of Offenders with Severe Mental Health Illness

Upon notification of the incident, the Shift Supervisor/Commander will notify the Facility's Controlling Authority and Mental Health Staff that the offender is disruptive and not complying with staff's lawful orders.

The Shift Supervisor/Commander will advise the Facility's Controlling Authority and Mental Health staff that it is probable that force will be needed to bring the offender into compliance.

If a spontaneous use of force occurred, the Shift Supervisor/Commander will notify the Facility's Controlling Authority and Mental Health staff immediately after the incident.

If appropriate, a planned use of force will not occur until mental health staff has had an opportunity to determine if there are unique mental health problems which must be taken into consideration when making the decision to use force.

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The Mental Health staff and security staff will be utilized to employ verbal intervention strategies to gain voluntary compliance from the disruptive offender.

The offender will be verbally notified that force will be used to bring him to an acceptable level of compliance.

If the offender does not comply after the show of force/verbal intervention, the minimum amount of force will be used to control the offender.

A planned use of force will be authorized by the highest ranking correctional staff on duty.

Recording and Photographing the Use of Force

A video record will be made of any planned use of force incident. Where appropriate, a photographic record should be made after any type of use of force incident.

An adequate number of staff members will be trained on the use of video and photographic equipment that will be used to record force incidents. The Facility's Controlling Authority will ensure that the Shift Supervisor/Commander is made aware of who have been trained to use the equipment.

The Facility's Controlling Authority will designate a staff member the responsibility of regularly inspecting the equipment to ensure that it is always available, working properly, and that batteries are charged to the maximum.

Staff involved in planned uses of force should identify themselves on the video record.

During the course of the incident, it is important to keep in mind the visual field being recorded. It is recognized that force incidents are dynamic events that never occur in ideal locations or in an ideal fashion for electronic record to be able to capture exactly what everyone is doing at all times with an unwavering picture. However, great attention needs to be paid by the respective video camera operator to place him or herself in the best location possible to visually record the incident, without interfering with the force incident itself.

A questionable video record of force incident may often raise more questions than it answers. Examples are, but not limited to:

- The camera appears to swerve for no apparent reason away from the actual force being applied.
- The camera is apparently unduly wavering on the visual field being captured.
- A narrow focus is unnecessarily used to only record a small part of the incident.
- The video record contains significant amounts of time when the camera is not focused on anything involving the force incident.
- There appear to be gaps in the chronological events of the incident when the camera was turned off, or placed in the "paused" mode.

The Shift Supervisor/Commander will ensure a video, photographic, or other visual record is immediately made of any staff member(s) or offender(s) as a result of the use of force incident.

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This should be done even if the force incident was not planned and the video recording device and camera were not already being used.

Use of Force Follow-up

Medical Attention

Adult Correctional Institutions: (MANDATORY) Written policy, procedure, and practice provide that all persons injured in an incident receive immediate medical examination and treatment [4-4203].

Adult Community Residential Services: Persons injured in an incident immediately receive a medical examination and treatment [4-ACRS-2B-02].

Persons involved in all use of force incident(s) will immediately receive a medical examination and treatment even when the person does not appear to be injured. The person will be evaluated by a qualified medical professional. A written report of all medical examinations and treatment received by any person injured will be forwarded through the chain of command.

Notification and Reporting

Adult Correctional Institutions: Written policy, procedure, and practice provide that written reports are submitted to the warden/superintendent or designee no later than the conclusion of the tour of duty when any of the following occur:

- discharge of a firearm or other weapons
- use of chemical agents to control inmates
- use of force to control inmates
- Inmate(s) remain in restraints at the end of the shift [4-4202].

Adult Community Residential Services: (MANDATORY) A written report is prepared following all uses of force and submitted to the facility administrator. The report details all circumstances, list those involved, including witnesses, and describe all injuries and medical services provided [4-ACRS-2B-01].

Adult Probation and Parole Field Services: All incidents involving use of physical force are reported fully, promptly, and in writing to administrative staff for their information and review. All injuries are treated promptly and reported in writing. [4-APPFS-3G-02].

Each employee who is involved in or witness a use of force incident is required to complete a written report following all uses of force and submit it to the facility administrator before the end of their shift or work day.

Each employee involved in the incident will complete an Incident Report. The Use of Force Report will be initiated by the Reporting Staff. Each incident report prepared will include at a minimum:

- The actions or outburst(s) by the offender that appeared threatening
- The observed reaction of the offender at the time of the use of force

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- A description of any observable marks or injuries to the offender
- Factors considered in deciding whether or not to make a visual record of injuries
- Any complaints from the offender
- All circumstances surrounding the use of force incident

Staff in state, private, and regional facilities will generate all Use of Force Reports on Offendertrak and forward through the chain of command. All Use of Force incident report numbers will be entered in Offendertrak using the following format:

Spontaneous Use of Force

- Facility Acronym – SUOF –Year – number
- Example: MSP –SUOF- 08 – 0001

Planned Use of Force

- Facility Acronym – PUOF –Year – number
- Example: MSP –PUOF- 08 – 0001

The Use of Force report can be electronically generated on Offendertrak by typing in the offender's DOC number and going to Reports >>> Person Documents >>> Documents >>> Use of Force Report.

Field officers involved in use of force incidents will submit a report to their immediate supervisor. The report will detail all circumstances, list those involved, including witnesses and describe all injuries and medical services provided. All reports will be forwarded through the chain of command.

All uses of force as referenced in this policy or restraints, other than the routine use of restraints, will be fully documented immediately after the end of the incident (Reference 16-15-01, Use of Restraints).

However, in the use of force levels 2, 3, 4, and 5, a Use of Force Report will be completed no later than the conclusion of that shift.

Whenever an officer uses force levels 2, 3, 4, and 5, including an accidental weapon discharge, he will expeditiously notify his immediate supervisor of the incident via the fastest means possible.

The chain of command will be utilized to ensure that the Deputy Commissioner of Institutions and the Deputy Commissioner of Community Corrections are notified. The Deputy Commissioners will notify the Commissioner and the Director of Corrections Investigation Division if deemed appropriate.

In the event an injury or death results from such use of force, local medical personnel will be notified immediately followed by appropriate local law enforcement personnel. Officers on the scene will ensure that the injured person receives appropriate medical attention.

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All staff will maintain the integrity of the scene to ensure possible evidence is preserved (Reference 20-06-01, Searches & Preservation of Evidence). All evidence found at the scene will be collected and secured by staff, appropriate law enforcement personnel or Corrections Investigation Division.

The officer involved in the incident will be taken to a location determined by Corrections Investigation Division and appropriate debriefing will take place as determined by Corrections Investigation Division and local law enforcement personnel.

After completion of debriefing, the officer may be taken to a facility as directed by the supervisor and may be required to submit to a urine sample.

The officer then completes an Incident Report containing all events of the incident. He may be placed on administrative leave with pay pending the completion of the agency's investigation.

Adult Community Residential Services: Use of force incidents are investigated; findings are aggregated and analyzed [4-ACRS-2B-03].

Administrative Review and Investigations

1. Supervisor's Review – The Use of Force Packet will be reviewed by the reporting staff member's supervisor. The supervisor will decide, after any necessary interviews, whether or not a packet contains necessary information to evaluate the use of force incident. Once the information has been gathered and evaluated, the supervisor will send the packet to the CCD/Warden/Superintendent for review.
2. CCD/Warden/Superintendent Review – The Use of Force Packet will be reviewed by the CCD/Warden/Superintendent. The CCD/Warden/Superintendent are required to refer the Use of Force for investigation to CID if any of the following apply:
 - It is apparent that MDOC policy and procedures were not followed;
 - The factual circumstances are not described sufficiently to enable an evaluation of the amount of force utilized;
 - The incident involved serious physical injury to any person;
 - The incident constituted a significant disruption to the normal operation of the institution;
 - Whenever the involved offender(s) claim abuse or excessive force and the medical exam report reflects injuries consistent with the claim.
3. Compliance Officer Review – At private and regional facilities, the Use of Force Packet will be reviewed by the assigned compliance officer. The compliance officer will review all pertinent information surrounding the Use of Force incident to include but not limited to interviews and whether or not a packet contains necessary information to evaluate the use of force incident. Once the information has been gathered, reviewed and evaluated, the

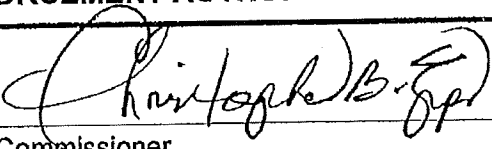
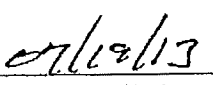
TITLE: USE OF FORCE		SOP NUMBER 16-13-01
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475 compliance officer will comment and forward the packet to the Deputy Commissioner of
 476 Institutions.

477
 478 4. Deputy Commissioner's Review – The Use of Force Packet will be reviewed by the Deputy
 479 Commissioner. The Deputy Commissioner will comment and forward the packet to the
 480 Commissioner if deemed appropriate.

481
 482 **DOCUMENTS REQUIRED:**

483
 484 Extraordinary Occurrence Report
 485 Use of Force Report
 486 Rule Violation Report
 487 Incident Reports from all staff involved or witnessing the Use of Force Incident
 488 Medical Exams and treatment of all staff and offender(s) involved in the Use of Force
 489 Applicable video records, photographs, diagrams or information use to describe the incident
 490 As required by this procedure and through the chain of command.

ENFORCEMENT AUTHORITY	
Reviewed and Approved for Issuance	
	Commissioner
	 Date

 MISSISSIPPI DEPARTMENT OF CORRECTIONS		SOP NUMBER 16-13-02
		AGENCY WIDE
USE OF FORCE TO PREVENT ESCAPES FROM INSTITUTIONS		INITIAL DATE 11-01-2002
ACA STANDARDS: 4-4202, 4-4203, 4-4206		EFFECTIVE DATE 02-07-2012
STATUTES:	RESTRICTED	PAGE 1 of 5

1 **APPLICABILITY:**

2
3 This procedure applies to all employees of the Mississippi Department of Corrections.

4
5 **POLICY STATEMENT:**

6
7 It is the policy of the Mississippi Department of Corrections to restrict the use of physical force to
8 instances of justifiable self-defense, protection of others, protection of property, prevention of
9 escapes, and to maintain or regain control, and then only as a last resort and in accordance with
10 appropriate statutory authority.

11
12 **DEFINITIONS:**

13
14 Deadly Force — Any use of force that will likely result in death or serious bodily injury.

15
16 Institutions — Mississippi State Penitentiary, Central Mississippi Correctional Facility, South
17 Mississippi Correctional Institution, Private Prisons and County Regional Facilities.

18
19 **PROCEDURES:**

20
21 Adult Correctional Institutions: (MANDATORY) Written policy, procedure, and practice
22 restrict the use of physical force to instances of justifiable self-defense, protection of
23 others, protection of property, prevention of escapes, and to maintain or regain control,
24 and then only as a last resort and in accordance with appropriate statutory authority. In
25 no event is physical force justifiable as punishment. A written report is prepared
26 following all uses of force and is submitted to administrative staff for review [4-4206].

27
28 When using force to prevent escape from an institution, security personnel will employ only the
29 degree necessary to control the offender to a level that will be effective, with a minimum of harm
30 to both staff and the offender.

31
32 When deadly force cannot be avoided, the force used must be the least injurious appropriate for
33 the situation. Deadly force may be used to stop a lethal threat to staff or public.

34
35 Escape Attempts Inside Security Perimeter

36
37 Where time permits, an audible warning and/or warning shot should be given. Deadly force is
38 justified to prevent escape when there is an immediate threat of death or serious bodily harm to
39 the public, officer, staff, or offenders, and a lesser use of force level would not eliminate the
40 threat or prevent the escape.

TITLE: USE OF FORCE TO PREVENT ESCAPES FROM INSTITUTIONS		POLICY NUMBER 16-13-02
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Escape Attempts Outside Security Perimeter

Whenever an inmate outside the security perimeter such as those on a work crew, transportation run or medical trip, attempts to run from custody, he will be given an audible warning. Once the officer believes that an escape cannot be prevented other than firing at the inmate, he may do so after concluding that no member of the public is in the line of fire.

Escape Attempts Involving An Outside Intruder

Firepower will not be used to stop an intruder from the outside, unless the intruder fires or attempts to fire a weapon, or otherwise threatens the loss of life or serious injury, and in the officer's judgment, other types of force or persuasion are not deemed appropriate.

Escape Attempts Using Vehicle/Aircraft

When an outsider approaches the perimeter fence in a vehicle and attempts to crash through, or an aircraft enters the security perimeter, the officer observing this will notify his supervisor or other security personnel in a position to respond to the area, if time allows.

If the inmate continues to approach the vehicle/aircraft and the officer is reasonably convinced the inmate is attempting to escape, the inmate will be fired upon until he surrenders, is disabled, or enters the vehicle/aircraft. The vehicle/aircraft will not be fired upon.

Deadly force is justified to prevent an escape, when there is an immediate threat of death or serious bodily harm to the public, officer, staff, or offenders, and a lesser use of force level would not eliminate the threat or prevent the escape.

If, however, occupants of the vehicle/aircraft fire or attempt to fire a weapon or otherwise use or attempt to use deadly force of any kind, an officer is authorized to fire on the vehicle/aircraft or its occupants for protection of self and others.

Securing the Scene

All staff will maintain the integrity of the scene to ensure possible evidence is preserved. (Reference 20-06-01, Searches & Preservation of Evidence). All evidence found at the scene will be collected and secured by staff, appropriate law enforcement personnel or Corrections Investigation Division (CID).

Medical Attention

Adult Correctional Institutions: (MANDATORY) Written policy, procedure, and practice provide that all persons injured in an incident receive immediate medical examination and treatment [4-4203].

Persons involved in all use of force incident(s) will immediately receive a medical examination and treatment even when the person does not appear to be injured. The person will be evaluated by a qualified medical professional. A written report of all medical examinations and treatment received by any person injured will be forwarded through the chain of command.

TITLE: USE OF FORCE TO PREVENT ESCAPES FROM INSTITUTIONS		POLICY NUMBER 16-13-02
EFFECTIVE DATE: 02-07-2012	RESTRICTED	PAGE 3 of 5

Reporting/Notification

Adult Correctional Institutions: Written policy, procedure, and practice provide that written reports are submitted to the warden/superintendent or designee no later than the conclusion of the tour of duty when any of the following occur:

- discharge of a firearm or other weapons
- use of chemical agents to control inmates
- use of force to control inmates
- inmate(s) remain in restraints at the end of the shift [4-4202].

Each employee who is involved in or witness a use of force incident is required to complete a written report following all uses of force and submit it to the facility administrator before the end of their shift or work day.

Each employee involved in the incident will complete an Incident Report. The Use of Force Report will be initiated by the Reporting Staff.

Each incident report prepared will include at a minimum:

- The actions or outburst(s) by the offender that appeared threatening
- The observed reaction of the offender at the time of the use of force
- A description of any observable marks or injuries to the offender
- Factors considered in deciding whether or not to make a visual record of injuries
- Any complaints from the offender
- All circumstances surrounding the use of force incident

Staff in state, private, and regional facilities will generate all Use of Force Reports on Offender Trak and forward through the chain of command. All Use of Force incident report numbers will be entered in Offendertrak using the following format:

Spontaneous Use of Force

- Facility Acronym – SUOF –Year – number
- Example: MSP –SUOF- 08 – 0001

Planned Use of Force

- Facility Acronym – PUOF –Year – number
- Example: MSP –PUOF- 08 – 0001

The Use of Force report can be electronically generated on Offendertrak by typing in the offender's DOC number and going to Reports >>> Person Documents >>> Documents >>> Use of Force Report.

Field officers involved in use of force incidents will submit a report to their immediate supervisor. The report will detail all circumstances, list those involved, including witnesses and describe all

TITLE: USE OF FORCE TO PREVENT ESCAPES FROM INSTITUTIONS		POLICY NUMBER 16-13-02
EFFECTIVE DATE: 02-07-2012	RESTRICTED	PAGE 4 of 5

injuries and medical services provided. All reports will be forwarded through the chain of command.

All uses of force as referenced in this policy, or restraints, other than the routine use of restraints, will be fully documented immediately after the end of the incident. (Reference 16-15-01, Use of Restraints)

However, in the use of force levels 2, 3, 4, and 5, a Use of Force Report will be completed no later than the conclusion of that shift.

Whenever an officer uses force levels 2, 3, 4, and 5, including an accidental weapon discharge, he will expeditiously notify his immediate supervisor of the incident via the fastest means possible.

The chain of command will be utilized to ensure that the Deputy Commissioner of Institutions and the Deputy Commissioner of Community Corrections are notified. The Deputy Commissioners will notify the Commissioner and the Director of Corrections Investigation Division if deemed appropriate.

In the event an injury or death results from such use of force, local medical personnel will be notified immediately followed by appropriate local law enforcement personnel. Officers on the scene will ensure that the injured person receives appropriate medical attention.

All staff will maintain the integrity of the scene to ensure possible evidence is preserved (Reference 20-06-01, Searches & Preservation of Evidence). All evidence found at the scene will be collected and secured by staff, appropriate law enforcement personnel or Corrections Investigation Division.

The officer involved in the incident will be taken to a location determined by Corrections Investigation Division and appropriate debriefing will take place as determined by Corrections Investigation Division and local law enforcement personnel.

After completion of debriefing, the officer may be taken to a facility as directed by the supervisor and may be required to submit to a urine sample.

The officer then completes an Incident Report containing all events of the incident. He may be placed on administrative leave with pay pending the completion of the agency's investigation.

Administrative Review and Investigations

1. Supervisor's Review – The Use of Force Packet will be reviewed by the reporting staff member's supervisor. The supervisor will decide, after any necessary interviews, whether or not a packet contains necessary information to evaluate the use of force incident. Once the information has been gathered and evaluated the supervisor will send the packet to the Community Corrections Director (CCD)/Warden/Superintendent for review.

TITLE: USE OF FORCE TO PREVENT ESCAPES FROM INSTITUTIONS		POLICY NUMBER 16-13-02
EFFECTIVE DATE: 02-07-2012	RESTRICTED	PAGE 5 of 5

- 181 2. CCD/Warden/Superintendent Review – The Use of Force Packet will be reviewed by the
 182 CCD/Warden/Superintendent. The CCD/Warden/Superintendent are required to refer the
 183 Use of Force for investigation to CID if any of the following apply:

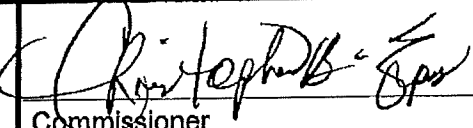

- 184 • The factual circumstances are not described sufficiently to enable an evaluation of the
 185 amount of force utilized;
- 186 • The incident involved serious physical injury to any person;
- 187 • The incident constituted a significant disruption to the normal operation of the
 188 institution;
- 189 • Whenever the involved offender(s) claim abuse or excessive force and the medical
 190 exam report reflects injuries consistent with the claim.


- 191 3. Compliance Officer Review – At private and regional facilities, the Use of Force Packet will
 192 be reviewed by the assigned compliance officer. The compliance officer will review all
 193 pertinent information surrounding the Use of Force incident to include but not limited to;
 194 interviews and whether or not a packet contains necessary information to evaluate the use
 195 of force incident. Once the information has been gathered, reviewed and evaluated, the
 196 compliance officer will comment and forward the packet to the Deputy Commissioner of
 197 Institutions.

- 201 4. Deputy Commissioner's Review – The Use of Force Packet will be reviewed by the Deputy
 202 Commissioner. The Deputy Commissioner will comment and forward the packet to the
 203 Commissioner if deemed appropriate.

204 **DOCUMENTS REQUIRED:-**

205 As required by this procedure and through the chain of command.

ENFORCEMENT AUTHORITY	
Reviewed and Approved for Issuance	 Commissioner  Date

 MISSISSIPPI DEPARTMENT OF CORRECTIONS		SOP NUMBER 16-15-01
		AGENCY WIDE
USE OF RESTRAINTS		INITIAL DATE 06-13-1983
ACA STANDARDS: 4-4190, 4-4190-1, 4-4191		EFFECTIVE DATE 06-01-2013
STATUTES:	RESTRICTED	PAGE 1 of 9

APPLICABILITY:

This procedure applies to all Mississippi Department of Corrections (MDOC) employees whose duties require the utilization of physical restraints to maintain control and security of offenders.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections to ensure restraints are never applied as punishment and are only used as a precaution against escape during transfer, for medical reasons, to prevent self-injury, to prevent injury to others or to prevent property damage.

DEFINITIONS:

Four/Five-Point Restraints – A method by which both arms, head and legs are secured.

Restraints – A device used to physically limit the movement of the wearer.

Restraint Chair – A security-restraining device that utilizes a combination of handcuffs, leg irons, and restraining straps in a specially designed contoured chair. This chair is designed to provide effective containment of an offender exhibiting violent and/or uncontrollable behavior. Proper application provides minimal potential for injury to the offender.

PROCEDURES:

General

Adult Correctional Institutions: Written policy, procedure, and practice provide that instruments of restraint, such as handcuffs, irons, and straight jackets, are never applied as punishment and are applied only with the approval of the warden/superintendent or designee [4-4190].

Adult Correctional Institutions: Written policy, procedure and practice, in general, prohibit the use of restraints on female offenders during active labor and the delivery of a child. Any deviation from the prohibition requires approval by, and guidance on, methodology from the medical authority and is based on documented serious security risks. The medical authority provides guidance on the use of restrains on pregnant offenders prior to active labor and delivery [4-4190-1].

All correctional staff will be trained in the application and use of instruments of restraint.

TITLE: USE OF RESTRAINTS		SOP NUMBER 16-15-01
EFFECTIVE DATE: 06-01-2013	RESTRICTED	PAGE 2 of 9

41 The Superintendent, Community Corrections Director, Warden, or designee will approve all non-
 42 routine utilization of restraints. The Shift Commander may approve the emergency utilization of
 43 restraints; however, the Superintendent, Community Corrections Director, Warden, or designee
 44 will be immediately notified.

45
 46 Use of Restraints

47
 48 Instruments of restraint will be applied and utilized for the following reasons:

- 49
 50 • Precaution against escape during transfer and/or transport
 51 • Medical reasons, only upon the direction of a medical authority
 52 • Prevent self-injury
 53 • Prevent injury to others
 54 • Prevent property damage

55
 56 Instruments of restraint will never be utilized in the following ways:

- 57
 58 • As a method of punishment
 59 • In a manner that causes undue physical discomfort, inflicts physical pain, or restricts the
 60 blood circulation or breathing of the offender
 61 • Shackling an offender to a stationary object while inside a moving vehicle

62
 63 The technique of placing an offender in a facedown position following the application of
 64 restraints is strictly prohibited.

65
 66 Restraints will be used no longer than is absolutely necessary. Due consideration must be
 67 given to the comfort and welfare of the offender, commensurate with an adequate degree of
 68 safety and restraint.

69
 70 Restraints are apparatus that should be utilized as a temporary measure. An offender under
 71 restraint is still potentially dangerous and will be kept under constant observation.

72
 73 Appropriate restraints must be used as soon as possible when it appears an offender may
 74 become violent or disruptive. The use of such restraints must be terminated as soon as the risk
 75 subsides or the offender is confined.

76
 77 Access to meals will not be withheld from an offender who is placed in any type of restraints.
 78 Restroom access will be granted on an as needed basis.

79
 80 Handcuffs

81
 82 Handcuffs will be placed on an offender with care. Each handcuff will be tightened to a secure
 83 fit on the wrist, with enough space left between the wrist and the handcuff to ensure proper
 84 blood circulation.

TITLE: USE OF RESTRAINTS		SOP NUMBER 16-15-01
EFFECTIVE DATE: 06-01-2013	RESTRICTED	PAGE 3 of 9

85 Handcuffs will be applied behind the offender's back. Immediately after placing the handcuffs
86 on the offender, the officer will double-lock the handcuffs.

87
88 Handcuffs will be examined prior to use for defects in chain links, for malfunction of the double-
89 locking device, and for foreign objects in the locking and keyhole slots.

90
91 Handcuffs will never be removed while in transit unless there is a vehicle accident or collision.
92 The officer will consider the welfare of the offender and protection of the officer and community
93 before removal of the handcuffs.

94
95 Offenders housed in maximum security units will be restrained with handcuffs or waist chains
96 prior to exiting their cells, and escorting to and from the shower and yard call.

97
98 Chains
99

100 Chains used to restrain offenders will be approximately four feet in length, of single link
101 construction with an enlarged link at one end.

102
103 Chains will be applied in the following manner:

- 104
105 • Circle the offender's waist threading the chain through the belt loops
106 • Pull the waist chain firm
107 • Place the large end link through a link of the waist chain
108 • Insert the open handcuffs through the large link ensuring one cuff is on both sides of the
109 waist chain
110 • Proceed to cuff the offender

111
112 Black Box
113

114 The Black Box will be applied in the following manner:

- 115
116 • Pull the securing lid off
117 • Open the box
118 • Apply the handcuffs
119 • Place the box on handcuffs
120 • Reapply the securing slide
121 • Put the large chain link through the slot in the box
122 • Lock in place with a padlock

123
124 Leg Irons for Community Work Center Offenders
125

126 Community Work Center offenders will be placed in restraints only when being transported to a
127 major facility for disciplinary actions, court appearances or outside hospital for medical
128 appointments.

TITLE: USE OF RESTRAINTS		SOP NUMBER 16-15-01
EFFECTIVE DATE: 06-01-2013	RESTRICTED	PAGE 4 of 9

Leg Irons for All Other Offenders

When offenders are transported by car, van, or bus, leg irons will be applied. Prior to the application of leg irons, the officer will ensure the offender is properly handcuffed and wearing a waist chain.

Leg irons will be examined prior to being placed on the offender. Leg irons may be utilized over socks or pant legs and pulled to a firm fit, leaving enough room for circulation, and double-locked with the keyhole placed on the lower side.

The officer will place the leg irons on the offender while positioned directly behind the offender. The officer will be alert to immediately respond if the offender attempts to kick.

One pair of leg irons will be applied to each offender unless emergency transportation needs exist.

Leg irons will never be removed while in transit unless there is a vehicle accident or collision. The officer will consider the welfare of the offender and protection of the officer and the community before removal of the leg irons.

Maximum security offenders who are being escorted to and from appointments (i.e., Case Manager appointment, disciplinary hearing, medical appointment) will be restrained with waist chains and leg irons.

All offenders who are being escorted to and from appointments off institutional grounds (i.e., medical appointments, court appearances) will be restrained with waist chains and leg irons.

Removal of Restraint Gear for Medical Procedures

Restraint gear may be taken off an offender upon the request of an on-site or off-site medical provider for the performance of medical procedures such as x-rays, whole body scans, and surgery.

If possible, only the restraint gear that hinders the medical procedure is to be removed. Upon completion of the medical procedure, the offender is to be frisk searched and placed back into full restraint gear.

If the medical provider requests an extended removal of restraint gear, the Warden or designee is to be contacted immediately.

Permanent or Temporary Suspension of Restraint Gear

Only MDOC site medical directors are allowed to approve temporary or permanent suspension of restraint gear.

The request must be reviewed and authorized by the Warden or designee.

TITLE: USE OF RESTRAINTS		SOP NUMBER 16-15-01
EFFECTIVE DATE: 06-01-2013	RESTRICTED	PAGE 5 of 9

Medical Records personnel will ensure that the suspension approval is logged in the offender's medical records as well as ensure that an alert status is noted in Offendertrak.

Use of Restraints to Restrict Mobility of an Inmate

Hand and leg restraints attached to a stationary object may be applied for the following reasons and only after all lesser types of restraint methods have failed:

- Precaution against escape during transfer and/or transport
- Medical reasons, only upon the direction of a medical authority
- Prevent self-injury
- Prevent injury to others
- Prevent property damage

When this restraint procedure is utilized, the following is required:

- Direct visual observation by staff must be continuous prior to obtaining approval from the Warden or designee and clearance by medical staff.
- Subsequent visual observation will be made periodically.
- Restraints will be used no longer than absolutely necessary.
- Restricted mobility restraints will only be applied initially for a period no longer than three hours. Continued utilization beyond three hours must be authorized by the Warden or designee and approved by the health authority.
- Restraints will not prevent the offender from rising from the bed, utilizing the toilet facilities or eating.
- Restricted Mobility Restraints form will be completed.

Use of Four/ Five-Point Restraints and Restraint Mattress

Restraints which prevent an offender from rising from his bed, utilizing toilet facilities, or eating will not be placed on any offender in a locked room except in extreme circumstances. These circumstances will include, but are not limited to the following:

- Offender threatens suicide
- Experiences a violent episode of mental instability
- Needs to be completely subdued for a very short period of time after behaving violently towards another person

TITLE: USE OF RESTRAINTS		SOP NUMBER 16-15-01
EFFECTIVE DATE: 06-01-2013	RESTRICTED	PAGE 6 of 9

Adult Correctional Institutions: (MANDATORY) Four/five point restraints are used only in extreme instances and only when other types of restraints have proven ineffective or the safety of the inmate is in jeopardy. Advance approval is secured from the facility administrator/designee before an inmate is placed in a four/five point restraint. Subsequently, the health authority or designee must be notified to assess the inmate's medical and mental health condition, and to advise whether, on the basis of serious danger to self or others, the inmate should be in a medical/mental health unit for emergency involuntary treatment with sedation and/or other medical management, as appropriate. If the inmate is not transferred to a medical/mental health unit and is restrained in a four/five point position, the following minimum procedures are followed:

1. Direct visual observation by staff is continuous prior to obtaining approval from the health authority or designee;
2. Subsequent visual observation is made at least every fifteen minutes
3. Restraint procedures are in accordance with guidelines endorsed by the designated health authority;
4. All decisions and actions are documented [4-4191].

When an offender is placed in four/five-point restraints (arms, head, and legs secured), advance approval must be obtained from the Superintendent, Community Corrections Director, Warden, or designee.

The Institutional Medical Director or designee must be notified in order to assess the offender's medical and mental health condition, and to advise, on the premise of serious danger to self or others, whether the offender should be placed in a medical or mental health unit for involuntary emergency treatment with sedation and/or other medical management as appropriate.

Four/Five-point restraints should only be used in extreme instances and only when other types of restraints have proven to be ineffective. Due consideration must be given to an individual's physical condition, such as body weight.

When an offender is restrained in a four/five-point position, the following minimum procedures will be followed:

- Direct visual observation by staff must be continuous prior to obtaining approval from the Institutional Medical Director or designee.
- Subsequent visual observation must be made at least every 15 minutes.
- Restraint procedures are in accordance with guidelines approved by the Institutional Medical Director.

Offenders secured in four/five-point restraints will be clothed in underwear only. This provision may be modified if deemed necessary by the appropriate supervisor and approved by the Superintendent, Community Corrections Director, Warden, or designee.

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Upon determination that the application of four/five-point restraints is necessary, a staff member will be assigned to maintain direct, continual observation of the offender until approval has been obtained from the Institutional Medical Director or designee.

Offenders placed in four/five-point restraints will be examined by medical staff as soon as possible to evaluate any injuries and ensure the restraints have been applied in a way that normal breathing and circulation are permitted.

Correctional personnel will monitor offenders in restraints at least every 15 minutes and document this in the appropriate log.

Four/Five-point restraints will only be applied for a period no longer than three hours on the order of the Superintendent, Community Corrections Director, Warden, or designee.

A physician will approve any continued utilization of restraints beyond the three-hour period, either personally or by telephone, within this three-hour period. This extension will be for no longer than three additional hours.

Authorization for continued utilization of restraints beyond an initial extension could be given only by a physician based on a personal examination of the offender and only for reasonable periods not to exceed eight hours.

The offender will not be in restraints beyond the authorized eight-hour period without further personal examination and authorization by a physician.

The offender will be released or placed in lesser restraints unless the physician finds the behavior mandates otherwise.

Restraint Chair

When an offender is placed in the restraint chair, advance approval must be obtained from the Superintendent, Community Corrections Director, Warden, or designee.

The following procedure will apply when placing an offender in the restraint chair:

- The Warden or designee and the Shift Commander will be present and directly supervise the placement of an offender into the restraint chair.
- Only staff members trained in the use of the restraint chair can administer restraint by these means.
- To facilitate placement in the restraint chair, the offender will be placed in a prone position (facedown) on the floor.
- The offender will place his hands behind his back and handcuffs will be applied; leg irons will be placed around the offender's ankles.

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- The offender will be stood upright immediately in front of the chair and will be instructed to seat himself in the chair. If the offender refuses to comply, the attending staff members will seat the offender.
- One staff member will be positioned behind the chair to control the offender's head and prevent injury, and one staff member will be positioned in front of the offender to control leg movement if necessary.
- Once the offender is seated, one staff member will secure the chair's lap belt across the offender's abdomen. The other staff member will secure the leg strap across the offender's legs and pull until snug.
- Two staff members will then secure the shoulder straps and alternate pulling the straps securely across the offender's chest.

Offenders placed in the restraint chair will be kept isolated from other offenders.

An offender will be removed from the restraint chair only under the direction of the Superintendent, Community Corrections Director, Warden, or designee. The Warden or designee and the Shift Commander, in conjunction with medical staff, will monitor the current condition and behavior of the offender in order to determine when it is appropriate to remove the offender from the restraint chair.

Correctional personnel will maintain direct observation of the restrained offender. A written 15 minute observation log will be maintained for all offenders placed in the restraint chair.

Restraints will be checked for excessive tightness a minimum of once every 30 minutes and noted in the observation log. If loss of circulation is detected, adjustment will be made as necessary. If an offender complains of pain caused by restraints, the observing staff member will request an examination of the offender from the medical staff.

The Shift Commander will review the status and need for continued restraint of the offender a minimum of once every two hours and will document the review on the observation log. Medical staff will examine the offender a minimum of once every three hours; however, staff members may request that medical staff examine the offender at any time.

Any offender who urinates or has a bowel movement while in the restraint chair or the four/five-point restraints, will be removed from the restraint for cleaning as soon as possible.

Restraint Logging and Reporting Procedures

All non-routine utilization of restraints will be fully documented and appropriate information reports completed and forwarded to the Superintendent, Community Corrections Director or designee for review.

An observation log will be maintained indicating the following:

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- 354 • Name of the restrained offender
 355 • Reason for the restraint
 356 • Type of restraints utilized
 357 • Time of initial restraint
 358 • Time of authorization
 359 • Name of the physician
 360 • Time monitored
 361 • Name of the person monitoring
 362 • Time of release
 363

364 The Warden or designee and the Shift Commander are responsible for ensuring that the
 365 appropriate Incident Reports, Extraordinary Occurrence Reports, and Observation Logs are
 366 completed and forwarded to the Superintendent, Community Corrections Director or designee.
 367 The reports must include, at a minimum, the following:
 368

- 369 • Description of the specific incident requiring the use of restraints
 370 • Time and place restrained
 371 • Any additional altercations occurring during or when the offender is released from restraint
 372 • Time restraints are removed
 373 • Copy of the observation log
 374

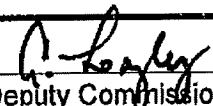

375 **Post Restraint Procedures**
 376


377 Upon removal of an offender from the restraint chair or four/five-point restraints, medical staff
 378 will immediately examine the offender and note the offender's condition in the medical file.
 379

380 Following each use of restraints, all devices will be cleaned and checked for any damage
 381 according to the recommendations of the manufacturer. The restraints will then be returned to
 382 the appropriate ready position.
 383

384 **DOCUMENTS REQUIRED:**
 385

386 As required by this procedure and through the chain of command.

ENFORCEMENT AUTHORITY		
Reviewed and Approved for Issuance		05/31/13 Date
		05/31/13 Date
	Deputy Commissioner of Community Corrections	

 <p style="text-align: center;">MISSISSIPPI DEPARTMENT OF CORRECTIONS</p>	<p style="text-align: center;">SOP NUMBER 16-23-01</p>
	<p style="text-align: center;">AGENCY WIDE</p>
<p>USE OF OLEORESIN CAPSICUM SPRAY OR CHEMICAL AGENTS</p>	<p style="text-align: center;">INITIAL DATE 03-01-2001</p>
<p>ACA STANDARDS: 4-4092</p>	<p style="text-align: center;">EFFECTIVE DATE 12-01-2009</p>
<p>STATUTES:</p>	<p style="text-align: center;">RESTRICTED</p> <p style="text-align: right;">PAGE 1 of 4</p>

APPLICABILITY:

This procedure applies to all Mississippi Department of Corrections (MDOC) staff, Regional Facilities and Private Prison staff authorized to use agency approved chemical agents or Oleoresin Capsicum Spray.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections (MDOC) to certify staff to carry and use agency approved chemical agents or Oleoresin Capsicum Spray.

DEFINITIONS:

Oleoresin Capsicum Spray (OC) - A spray or foam derived from Capsicum peppers and mixed with essential oils, waxes and materials (commonly known as pepper spray or OC spray).

Chemical Agents - All types of tear gases that are currently approved and used.

Contamination - Making impure by contact with an OC product or chemical agent.

Decontamination - The process that is initiated after a person has been contaminated by OC spray or a chemical agent.

Certification Course - A basic course of instruction that teaches the proper methods of contamination and decontamination of OC spray or chemical agents.

PROCEDURES:

Adult Correctional Institutions: (MANDATORY) All personnel authorized to use chemical agents receive thorough training in their use and in the treatment of individuals exposed to a chemical agent [4-4092].

All Correctional Commanders and Correctional Supervisors who exert control or custody over offenders will acquire and maintain certification for OC spray or chemical agents.

Successful completion of a certification course for OC spray or chemical agents is a condition of employment for being hired or promoted to the position of Correctional Commander or Correctional Supervisor.

TITLE: USE OF OLEORESIN CAPSICUM SPRAY OR CHEMICAL AGENTS		SOP NUMBER 16-23-01
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Any authorized staff member who may reasonably be expected to carry, use or deploy OC spray or chemical agents during duty hours will be trained in approved methods to include, but not limited to the following:

- Must have successfully completed a certification course for OC spray or chemical agents.
- Must have been contaminated or exposed after signing a Medical Warning statement.
- Must carry only agency approved or departmental issue.
- Must be recertified every two years by passing the basic course of instruction and a written test.
- Must possess a general knowledge of contamination and decontamination procedures.
- Must have record of certification in the training file.
- Must have signed acknowledgement of receipt of a copy of "Use of Oleoresin Capsicum Spray or Chemical Agents" and the "Use of Force" policy and procedure prior to receiving any OC spray/foam or other chemical agent.
- Must contact medical staff prior to a planned use of chemical agents to possibly avoid preventable medical problems.
- Must ensure that the OC spray or chemical agents do not become accessible to offenders.

Trained personnel may employ OC spray or chemical agents in the following situations:

- To gain control of an offender who physically resists or threatens to physically resist (i.e., assuming an aggressive posture and does not comply with verbal request).
- To gain control of any offender who poses a threat to staff or property.
- To defend oneself against attack.
- To defend another staff member, offender or citizen against attack.
- To defend a staff member or citizen from an animal attack.
- To defend the institution against a riot.

All offenders will be handcuffed as soon as possible after OC products or chemical agents are deployed.

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Once an offender is incapacitated or restrained, the use of OC products or chemical agents is no longer justified.

Prohibited Use

OC spray or chemical agents will not be used against passive demonstrators, spectators or individuals who are holding an infant or small child.

Chemical agents will not be deployed in areas deemed unsafe.

Medical Attention

Immediately after exposure to chemical agents, institutional staff should transport offenders to the clinic for examination.

- Officers should be alert to any indications that the offender needs medical care (ie, breathing difficulties, gagging, profuse sweating and loss of consciousness).
- Upon observing these or other medical problems or if the individual requests medical assistance, staff will immediately summon emergency medical aid (effects of OC spray or chemical agents vary among individuals).
- Persons coming in contact with chemical agents should be treated as soon as possible with exposure to fresh air and rinsing with cold water or other decontaminates.
- Persons that have come in contact with chemical agents will be monitored closely for indications of medical problems and no offender will be left alone while in custody.
- A Community Corrections offender who has been sprayed with OC spray will be placed under arrest by the staff member or local law enforcement personnel and transported to a holding facility as soon as possible.
- The holding facility personnel will be advised that the offender has been contaminated with OC spray and should be monitored.
- Assistance should be offered to any individual who has been accidentally exposed to OC spray or chemical agents who feels the effects of the agents.

Notification

Accidental discharges of any chemical agent will be reported to the staff member's immediate supervisor as soon as possible and followed up with a written report within 24 hours utilizing the Incident Report Form and Extraordinary Occurrence Report.

Whenever a staff member discharges any chemical agent intentionally (except while undergoing approved exercise or training), he will notify his immediate supervisor of the incident via the fastest means possible.

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The immediate supervisor will immediately notify his supervisor who will, following the chain of command, ensure that the appropriate Deputy Commissioner is notified.

The Deputy Commissioner will notify the Commissioner in respect to the seriousness of the incident.

Unless instructed otherwise, once the notification process is complete, the Supervisor will report to the scene of the incident.

The staff member will then complete an Incident Report and Use of Force report containing all events of the incident and will submit reports before the end of the shift.

DOCUMENTS REQUIRED:

Acknowledgement of Receipt of OC Spray


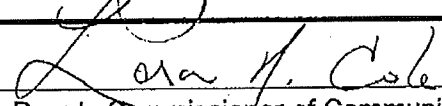
Record of Certification of Training

Incident Report

Use of Force

Extraordinary Occurrence Report

As required by this Standard Operating Procedure and through the chain of command.

ENFORCEMENT AUTHORITY		
Reviewed and Approved for Issuance		11/17/09 Date
	Deputy Commissioner of Institutions	
		11-17-09 Date
	Deputy Commissioner of Community Corrections	